

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. THOMAS AND ST. JOHN

TIMOTHY McDONALD,

Plaintiff,

2004-CV-0093

v.

**LOWE DAVIS, INNOVATIVE
COMMUNICATIONS CORPORATION
(ICC), THE DAILY NEWS PUBLISHING
COMPANY, INC., and JASON ROBBINS,**

Defendants.

**THE DAILY NEWS PUBLISHING
COMPANY, INC.,**

Counter-Plaintiff,

v.

TIMOTHY McDONALD,

Counter-Defendant.

**TO: Lee J. Rohn, Esq.
Kevin A. Rames, Esq.**

**ORDER DENYING PLAINTIFF'S MOTION FOR SANCTIONS
AND MOTION TO STRIKE**

THIS MATTER came before the Court for consideration upon Plaintiff's Motion For Sanctions Under Local Rule 7.1 (Docket No. 57). Defendants filed a response to said

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motion. Defendants also filed supplemental authority in support of their response. Plaintiff filed a motion to strike such supplemental authority (Docket No. 66). The time for filing a reply to the motion for sanctions and a response to the motion to strike has expired.

Having reviewed the motion for sanctions and the response and upon due consideration thereof, the Court finds that the requested sanctions are not warranted. Despite the fact that counsel misstated the law, such misstatement did not affect or have an impact upon the resolution of the motion to quash at issue. Given the Court's ruling upon the said motion for sanctions, the Court finds the motion to strike moot.

Accordingly, it is now hereby **ORDERED**

1. Plaintiff's Motion For Sanctions Under Local Rule 7.1 (Docket No. 57) is **DENIED**.
2. Plaintiff's Motion to Strike in Opposition of Defendants' Notice of Filing Supplemental Authority (Docket No. 66) is **DENIED AS MOOT**.

ENTER:

Dated: May 14, 2008

_____/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE